

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE CHETRIT GROUP and JOSEPH CHETRIT,

Plaintiffs,

- v. -

LABORERS LOCAL UNION 79, KENNETH  
BRANCACCIO, in his capacity as President of  
Laborers Local Union 79, and JOHN DOES 1-10,

Defendants.

Case No. 07 CIV 8653 (GBD)

**STIPULATION ACCEPTING  
SERVICE OF PROCESS AND  
EXTENDING DEFENDANTS'  
TIME TO ANSWER OR  
OTHERWISE RESPOND**

X

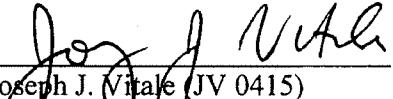
IT IS HEREBY STIPULATED and agreed by and between the undersigned  
counsel that:

1. Cohen, Weiss and Simon LLP hereby accepts service of the summons and complaint herein on behalf of defendants Construction and General Building Laborers' Local 79 and Kenneth Brancaccio in his capacity as President of Local 79 (collectively "Local 79" or the "Defendant") and appears herein on the Defendant's behalf.
2. Local 79 retains any and all defenses and objections to the lawsuit or to the jurisdiction or venue of the Court except objections based on a defect in the service of process.
3. The time for Defendant to answer or otherwise respond to the complaint in this action is extended from November 11, 2007 through November 30, 2007. The parties represent that this is the first request for an extension to answer or otherwise plead in this case.

Dated: New York, New York  
October 26, 2007

Respectfully submitted,

By:

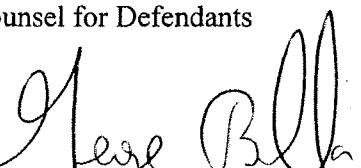
  
Joseph J. Vitale (JV 0415)  
COHEN, WEISS AND SIMON LLP  
330 West 42<sup>nd</sup> Street  
New York, New York 10036-6976  
(212) 563-4100

and

Tamir W. Rosenblum (TR 0895)  
MASON TENDERS DISTRICT  
COUNCIL OF GREATER NEW YORK  
520 Eighth Avenue, Suite 650  
New York, New York 10018  
(212) 452-9451

Counsel for Defendants

By:

  
Kevin J. McGill (KM 4554)  
George F. Brenlla (GB 4554)  
Clifton, Budd, & DeMaria, LLP  
420 Lexington Avenue, Suite 420  
New York, New York 10170

Counsel for Plaintiffs

SO ORDERED:

Dated: \_\_\_\_\_, 2007  
New York, New York

U.S.D.J.